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6 Attorneys for Plaintiff
7 BAY AREA PAINTERS AND TAPERS
PENSION FUND, et al.

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10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 BAY AREA PAINTERS AND TAPERS
13 PENSION FUND, Bet al.,

14 Plaintiffs,

15 v.

16 CRYSTAL NICOLE THOMAS, individually
17 and dba CALIFORNIA PROFESSIONAL
18 PAINTING,

19 Defendants.

Case No.: C07-3344 PJH

20
**DECLARATION OF MICHELE R.
STAFFORD IN SUPPORT OF ENTRY OF
AMENDED JUDGMENT PURSUANT TO
STIPULATION**

21 I, Michele R. Stafford declare:

22 1. I am an attorney at law licensed to practice in the State of California, and am an
23 associate of Saltzman & Johnson Law Corporation, attorneys for plaintiffs herein.

24 2. On June 26, 2007, plaintiffs filed a Complaint in this matter which was designated
25 by the Court as case number C07-3344 PJH.

26 3. A Judgment Pursuant to Stipulation was entered into between the parties and
27 signed by the Court on December 3, 2007. At the time that the Judgment was entered, the

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**DECLARATION OF M. STAFFORD IN SUPPORT
Case No.: C07-3344 PJH**

1 defendants believed that there had been payments that were made and were not credited to their
 2 account. I had already had the Trust Funds' administrator review their account in response to their
 3 request. At that time, the administrator did not find any amounts paid that were not credited.
 4

5 However, in an abundance of caution, I added Paragraph 3 of the Stipulation included the
 6 following language:
 7

8 *Defendants believe that payments may have been made that were not credited to their
 9 account. Upon presentation of satisfactory proof of payment, and upon verification by plaintiffs'
 10 administrator that they payments were in fact made, plaintiffs will amend this stipulation (if
 required) to update the amounts due and amend the payment amount accordingly.*

11 4. I requested that the Trust Funds' administrator to an "audit" of the defendants'
 12 account in response to their subsequent request. It was determined that there had been an
 13 accounting error relative to amounts due to plaintiffs. I therefore prepared an Amended Judgment
 14 Pursuant To Stipulation, which was forwarded to defendants in mid-December. It was only
 15 recently returned to my office, signed by defendants on January 16, 2007 and by me on January
 16 17, 2007.

18 5. The payment schedule under the Amended Judgment Pursuant to Stipulation
 19 remains the same, with the monthly amounts due reduced to \$1,763.00.

20 6. Defendants also received credit of \$2,766.00 for a payment made under the original
 21 Judgment Pursuant to Stipulation.

23 7. All other terms of the Stipulation remain unchanged.

24 . The Amended Judgment Pursuant to Stipulation was electronically filed with the
 25 Court on January 17, 2007. Exhibit A, however, was inadvertently omitted from the efiling. It is
 26 being electronically filed with the Court today in a separate efiling concurrently with this one, as
 27 Exhibit A to the Amended Judgment Pursuant to Stipulation.

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**DECLARATION OF M. STAFFORD IN SUPPORT
 Case No.: C07-3344 PJH**

1 I declare under penalty of perjury that the foregoing is true of my own knowledge and if
2 called upon I could competently testify thereto.

3 Executed this 22nd day of January, 2008, at San Francisco, California.
4

5 SALTZMAN & JOHNSON LAW CORPORATION
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7 By: _____/s/ _____
8 Michele R. Stafford
9 Attorneys for Plaintiffs
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PROOF OF SERVICE

I, the undersigned, declare:

I am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 120 Howard Street, Suite 520, San Francisco, California 94105.

On January 22, 2008, I served the foregoing documents on the parties to this action, addressed as follows, in the manner described below:

**DECLARATION OF MICHELE R. STAFFORD IN SUPPORT OF ENTRY OF
AMENDED JUDGMENT PURSUANT TO STIPULATION**

XXX **MAIL**, being familiar with the practice of this office for the collection and the processing of correspondence for mailing with the United States Postal Service, and deposited in the United States Mail copies of the same to the business addresses set forth below, in a sealed envelope fully prepared.

Addressed to:

**Crystal Nicole Thomas
California Professional Painting
9 Lois Lane
San Francisco, CA 94134**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 22nd day of January, 2008, at San Francisco, California.

/s/